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DEPARTMENT FOR AF/SPG AND DRL

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TAGS: [PHUM](#) [PGOV](#) [KPKO](#) [SU](#) [UN](#) [AU](#)  
SUBJECT: SUDAN: UNHCHR ARBOUR SEES NO PROGRESS IN DARFUR,  
CALLS FOR ICC ACTION

Classified By: CHARGE D'AFFAIRES A.I. ANDREW STEINFELD; REASON: 1.4(B)  
AND (D)

11. (C) Summary: United Nations High Commissioner for Human Rights Louise Arbour declared there had been "no progress" on human rights in Darfur since 2004, and warned the situation actually had gotten worse. The new Humanitarian Work Law would severely impede NGO relief work, and the expansion of the National Intelligence and Security Service (NISS) presence in the region had done nothing to help IDPs. The Government is relying on paper initiatives to stop violence against women, and the African Union is doing little to help. The solution, Arbour believes, lies not only with an UN peacekeeping force -- something UNHCHR already is working towards -- but also on swift action by the International Criminal Court. End Summary.

12. (C) United Nations High Commissioner for Human Rights Louise Arbour told senior diplomats that not only had there been "no progress" in human rights conditions in Darfur, but conditions were even worse than during her first visit to the area in 2004. Arbour briefed the diplomatic corps in Khartoum on May 3, following meetings with the deputy governors (walis) of South and West Darfur, and meetings in the capital with senior Government of National Unity (GNU) officials.

National Security vs. Human Security  
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13. (C) Arbour was particularly concerned about the impact of the new Humanitarian Work Law, which she predicted would "very severely impede assistance" and relief efforts. The law's licensing requirements would put a huge bureaucratic strain on the Ministry of Humanitarian Affairs, thus forcing local and international NGOs to either shut down or operate illegally. She was also troubled by the "gross imbalance" between state security and "human security" in the region, marked by a large National Intelligence and Security Service (NISS) presence, but little effort to protect women from gender-based violence (GBV).

14. (C) She was appalled that the Government had made only "paper initiatives" to stop violence against women, noting that there is a "rhetorical disconnect" between the words of Government officials in Khartoum and the reality in Darfur. She criticized the Government for failing to allow UN human rights officers access to prisons, noting that NISS had given her permission to visit a National Security Detention Center in Khartoum, only to be stopped at the last minute by the Ministry of the Interior. She also expressed disbelief that African Union Mission in Sudan (AMIS) civilian police had not been more active in protecting IDPs, especially women. "Why is every AMIS policeman not out on a firewood patrol?" she asked pointedly.

## Time for the International Criminal Court

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15. (C) The situation in Darfur has deteriorated to such an extent that action by the International Criminal Court was now vital, she argued. (Note: Arbour previously served as Chief Prosecutor for the International Criminal Tribunals for the former Yugoslavia and Rwanda.) "It is important for the ICC to be seen discharging its mandate, to create a sense that something is happening," she said -- though she was unclear whether the ICC should act for its own ends, or to bring justice to Darfur. "There is a means of accountability, and it must be shown."

## Working with Peacekeeping Planners

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16. (C) In response to a question from the Swiss Charge d'Affaires, Arbour insisted that she had no intention of giving up, and promised that the UNHCHR would remain active in Darfur. She also admitted that UNHCHR had started discussions with the UN Department of Peacekeeping Operations (PKO) regarding policing and protection needs for a UN mission in Darfur.  
STEINFELD